

STATE OF OHIO

COUNTY OF CUYAHOGA

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COURT OF COMMON PLEAS

CRIMINAL DIVISION

SEARCH WARRANT

TO: CHIEF OF POLICE OF THE MENLO PARK POLICE DEPARTMENT, STATE OF CALIFORNIA AND/OR CHIEF OF POLICE, CLEVELAND POLICE DEPARTMENT, AND/OR DETECTIVE RAUL ATANACIO, BADGE NO. 1652, A MEMBER OF SAID DEPARTMENT, AND/OR ANY LAW ENFORCEMENT OFFICERS AS AUTHORIZED.

WHEREAS there has been filed with me an affidavit, a copy of which is attached hereto, designated as Exhibit A, and incorporated herein as though fully rewritten, wherein the Affiant avers that he believes and has probable cause to believe that within the Instagram account for:

- User name: drakebell; Preservation number 2921774
- User name: CHILD AB/NEG INFO Preservation number 2921774
- User name: CHILD AB/NEG INFO Preservation number 2921774
- User name: planetjanettv; Preservation number 3101074

which information and data is currently in the possession of Instagram, LLC, Attn: Instagram Law Enforcement Response Team, 1601 Willow Road, Menlo Park, California, 94025; there is now being kept the following evidence of a criminal offense:

Any subscriber information related to the above-described accounts, including any phone numbers or email addresses; any messages or communications between the above-described accounts and other accounts from 12:01am EST March 1, 2017 through 11:59pm EST April 30, 2019 ; any photos uploaded by the above-described accounts or interacted by the above-described accounts during that time period; any followers of the above-described accounts and any accounts that the above-described accounts are following; and any other evidence tending to establish violation of the laws of the State of Ohio, to wit: Unlawful Sexual Conduct with a Minor, R.C. § 2907.04.

I am satisfied that there is probable cause to believe that the above-described electronic information and evidence is being concealed within and upon the above-identified Instagram records and stored data and that grounds for issuance of this search warrant exist.

THEREFORE: You are hereby commanded in the name of the State of Ohio, with the necessary and proper assistance, to serve this warrant upon Instagram, LLC, Attn: Instagram Law Enforcement Response Team, 1601 Willow Road, Menlo Park, California, 94025, within three days of the date hereof for the information specified, and if the electronic data or any part thereof be found there, Instagram, LLC is commanded to seize it and provide the information to Detective Raul Atanacio via email at ratanacio@city.cleveland.oh.us and not disclose the existence of this warrant to any person unless ordered by the court. Upon receiving this information Detective Atanacio is ordered to return this warrant to the undersigned or any Judge of the Court of Common Pleas, and to bring the property found on such search forthwith before said Judge, or some other judge or magistrate of the county having cognizance thereof.

Given my hand this 22nd day of July, 2019.

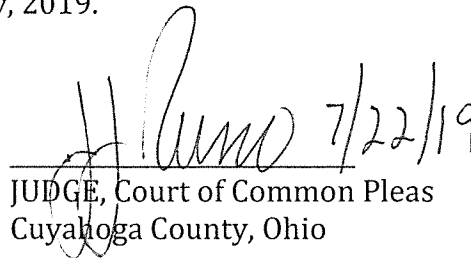

JUDGE, Court of Common Pleas
Cuyahoga County, Ohio

EXHIBIT A

STATE OF OHIO	)	COURT OF COMMON PLEAS
	)	CRIMINAL DIVISION
COUNTY OF CUYAHOGA	)	

AFFIDAVIT FOR SEARCH WARRANT

Before me, a Judge of the Court of Common Pleas, Cuyahoga County, Ohio, personally appeared the undersigned Detective Raul Atanacio, Badge #1652, of the Cleveland Police Department, who being first duly sworn, deposes and states that he has been a member of the Cleveland Police Department for the past twelve years with the past fourteen months as a detective. Affiant is currently assigned to the Sex Crimes Unit. Affiant has training and experience in the investigation of major felonies including unlawful sexual conduct with a minor and has experience executing search warrants.

Affiant avers that he believes and has probable cause to believe that within the Instagram account for:

- User name: drakebell; Preservation number 2921774
- User name: CHILD AB/NEG INFO Preservation number 2921774
- User name: CHILD AB/NEG INFO Preservation number 2921774
- User name: planetjanettv; Preservation number 3101074

which information and data is currently in the possession of Instagram, LLC, Attn:

Instagram Law Enforcement Response Team, 1601 Willow Road, Menlo Park, California,

94025; there is now being kept the following evidence of a criminal offense:

Any subscriber information related to the above-described accounts, including any phone numbers or email addresses; any messages or communications between the above-described accounts and other accounts from 12:01am EST March 1, 2017 through 11:59pm EST April 30, 2019 ; any photos uploaded by the above-described accounts or interacted by the above-described accounts

during that time period; any followers of the above-described accounts and any accounts that the above-described accounts are following; and any other evidence tending to establish violation of the laws of the State of Ohio, to wit: Unlawful Sexual Conduct with a Minor, R.C. § 2907.04.

The facts upon which affiant bases such beliefs are as follows:

1. Affiant avers that on October 24, 2018, Cleveland Police Department was contacted by the York Regional Police in Canada about a report of unlawful sexual conduct with a minor. Affiant avers that they completed an investigation involving [CHI] [CHILD AB/NEG] [CHILD AB/NEG INFO] and Jared Drake Bell (aka "Drake Bell"), dob 6/27/86. Bell was thirty-one years old at the time of the incident(s) described below.
2. Affiant avers that [CH] resides in Canada along with many of the witnesses in this investigation and that Jared Drake Bell resides in California. Affiant avers that [CHIL] made an initial disclosure to two juvenile friends and then to her parents who then notified the police.
3. Affiant avers that he reviewed the investigation and reports from the York Regional Police which included audio and video recordings of the various witnesses. Affiant avers that, according to the reports, [CHI] [RAPE/SEXUAL INFO] [RAPE/SE] while both [CHI] and Jared Drake Bell were in Cleveland, Cuyahoga County, Ohio.
4. Affiant avers that Bell is a music performer. Affiant avers that [CH] informed police that her aunt, [CHILD AB/NEG], took her to Bell's concerts at different locations in the United States beginning in Syracuse, NY in 2016. Affiant avers that, according to the investigation, Forcht has a friend named Darlene Richards who is friends with Kathy Kautz who knows Bell's mother and that Richards was able to facilitate the meetings with [CHILD] S.G., and Bell.
5. Affiant avers that, according to [CHI] Bell sent her pictures of his bare stomach in 2016 and she exchanged pictures of herself. Affiant avers that, according to [CHI] some of the pictures included S.G. in minimal clothing. Affiant avers that, according to [CHI], their "sexting" continued to escalate over time.
6. Affiant avers that in October 2017, S.G. went with [CHILD] to see Bell perform in Chicago, Illinois. Affiant avers that according to [CHI], Forcht was driving with Bell and [CH] seated [RAPE/SEXUAL INFO]
7. Affiant avers that on December 1, 2017, [CHI] went with [CHILD] Richards, and Kathy to a preshow at the Odeon Concert Club. At some point before the concert, Bell took [CH] back to his dressing room where [RAPE/SEXUAL INFO] [RAPE/SEXUAL INFO] was backstage at the concert and that during an intermission Bell told her that he wanted to take her away from other people. According to [CHI], Bell took her back to his

room at the Odeon Concert Club at the end of the show to get his guitar. While in the room, CH RAPE/SEXUAL INFO RAPE/SEXUAL INFO RAPE/SEXUAL INFO

8. Affiant avers that on December 2, 2017, CHILD along with Darlene Richards, accompanied CH to say goodbye to Bell at the Aloft Hotel in Cleveland, Ohio. Affiant avers that he learned that Bell was staying in room 626 at the hotel. According to CHIL RAPE/SEXUAL INFO in the hotel room while CHILD and Richards waited outside in the hallway of the hotel. According to S.G. RAPE/SEXUAL INFO RAPE/SEXUAL INFO
9. Affiant avers that on December 2, 2017, Forcht told CH she had a surprise for her. CHILD then presented CH with a 16th birthday card that contains a note and signature from Bell. Affiant avers that he has two photographs of the card. Affiant avers that CHIL birthday is January 29, 2002 so S.G. CHILD AB/NEG INFO Affiant avers that the York Regional Police in Canada took possession of the birthday card as evidence which has since been delivered to Affiant. The birthday card is now in evidence with the Cleveland Police Department.
10. Affiant avers that CH consented to the acts but afterwards felt that it was wrong as Bell was significantly older than her. CH stated that the last time she saw Bell was in June 2018.
11. Affiant avers that he has spoken to CH over the phone regarding this investigation. Affiant avers that CH provided her Instagram accounts as CHILD AB/NEG INFO and CHILD AB/NEG INFO. Affiant avers that CH stated that she spoke with Bell and Bell's girlfriend via Instagram. Affiant avers that CH identified Bell's Instagram account at "drakebell." CH stated that she told Bell's girlfriend (Janet) about the sexual acts through Instagram. CH stated that Janet was extremely upset and wanted to know if and when she CHIL was going to notify authorities and make a report.
12. Affiant avers that CH stated she confronted Bell about the sexual acts. Bell stated that he was sorry and asked if they could continue to be friends. Bell also asked CH "what can I do?" and "don't hate me." Bell noted that CH "already told Janet" what happened. Bell did not specifically admit anything. Affiant avers that he has screenshot photographs of the Instagram messages that were taken of CHIL phone by the York Regional Police. Affiant avers that he has made a preservation request with Instagram for the above accounts and the case number is 2921774.
13. Affiant avers that Bell's girlfriend has been identified as Janet Von. Affiant avers that Von's Instagram account name is "planetjanettv." Affiant avers that he has made a preservation request with Instagram for Von's account and the case number is 3101074.
14. Affiant avers that it is necessary to obtain the Instagram records for the above accounts from 12:01am EST March 1, 2017 through 11:59pm EST April 30, 2019. CHIL

stated that the messages became more sexual in nature in March of 2017. S.G. stated that she and Bell exchanged some pictures on SnapChat but that the bulk of their communication was done via Instagram. Affiant avers that, as described above, the accounts contain information relevant to this investigation. [CH] stated that she used both of her Instagram accounts to communicate with Bell. Affiant avers that it is also necessary to obtain the Instagram records for Von because the communications that she and [CH] had are relevant to the investigation and are evidence of the offense.

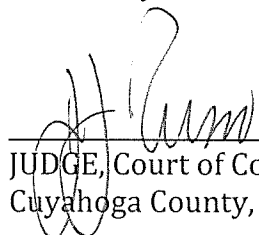
15. Affiant avers that Affiant has probable cause to believe and does believe that the above-described evidence will be found within the above described Instagram accounts.
16. Affiant anticipates executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Instagram LLC to disclose to the government copies of the records and other information (including the content of communications) particularly described above.
17. This warrant applies to information associated with the above-described Instagram LLC usernames and accounts that is stored at premises owned, maintained, controlled, or operated by Instagram, a company headquartered at 1601 Willow Road, Menlo Park, California, 94025.
18. Affiant requests that if the schedule at Instagram LLC requires the search to be conducted during the night hours, authority be granted for said search to be conducted at that time at the convenience of the Instagram LLC staff.
19. Affiant avers that notification of the existence of this search warrant to the accounts holder may result in flight from prosecution or other adverse activity. Therefore, affiant requests that Instagram be ordered to delay notification of this warrant to the account holders unless ordered by this Court.

FURTHER AFFIANT SAYETH NAUGHT.

 1652

Detective Raul Atanacio
Cleveland Police Department

Sworn to before me and subscribed in my presence this 22nd day of July, 2019.

 7/22/19
JUDGE, Court of Common Pleas
Cuyahoga County, Ohio

Redaction Log

Total Number of Redactions in Document: 58

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
3	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
4	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	19
4	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	2
5	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	25
5	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	6
6	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	1(2) 3(2) 4(19) 5(25) 6(2)
RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	4(2) 5(6)

Redaction Log

Total Number of Redactions in Document: 6

Redaction Reasons by Page

Page	Reason	Description	Occurrences
4	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
4	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	3
5	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	4(2) 5(1)
RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	4(3)